

IN THE UNITED STATES DISTRICT COURT
FOR EASTERN DISTRICT OF PENNSYLVANIA

CHRISTINE M. BELL,
d/b/a ALLEGIANCE MORTGAGE
SERVICES,

On Behalf of Herself and All
Others Similarly Situated,

Plaintiff,

v.

E-LOAN, INC. and
CAPITAL LENDING PARTNERS, INC.,

Defendants.

Case No. 07-3571-BMS

Judge Berle M. Schiller

DEFENDANTS' 28 U.S.C. § 1715 NOTICE OF CLASS SETTLEMENT

Defendants E-Loan, Inc. and Capital Lending Partners, Inc. (collectively "Defendants"), by their undersigned attorneys, hereby give notice under 28 U.S.C. § 1715 of the proposed settlement of the above captioned action, *Bell v. E-Loan, Inc. and Capital Lending Partners, Inc.*. Pursuant to 28 U.S.C. § 1715(b)(1)-(8), Defendants state as follows in the following corresponding paragraphs (1) – (8):

1. This class action was filed on August 28, 2007, in the United States District Court for the Eastern District of Pennsylvania alleging violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* On November 16, 2007, Plaintiff filed an Amended Complaint. On February 19, 2008, Plaintiff filed a Second Amended Complaint. Copies of the complaints are attached as Exhibits 1, 2 and 3.

2. A Settlement Agreement, dated as of May 9, 2008, has been entered into by the parties. The Settlement Agreement is attached hereto as Exhibit 4. The settlement class consists of all persons and/or entities throughout the United States that are holders of telephone/fax numbers to which one or more facsimile transmissions marketing E-Loan mortgages or E-Loan

Equity Connect were sent by or on behalf of Capital Lending Partners from October 1, 2006 to June 30, 2007. Each telephone/fax number represents one class member. On May 9, 2008, the parties filed a motion for Preliminary Approval of the proposed settlement with the Court. The Court has not yet scheduled a preliminary or final approval hearing date.

3. Pursuant to Settlement Agreement, the Settlement Administrator shall be providing class members a Notice of Class Action and Proposed Settlement, together with the claim form described in the Settlement Agreement. A copy of Notice/Claim Form to be sent to class members attached hereto as Exhibit 5.

4. The Settlement Agreement between the parties is attached as Exhibit 4.

5. No settlement or agreement other than that reflected in Exhibit 4 hereto was contemporaneously made between class counsel and counsel for either of the defendants.

6. No final judgment has been entered nor has any notice of dismissal been filed.

7. Defendants currently believe that the settlement class includes approximately 10,427 members. Due to the number of class members, it is not feasible to provide the names of class members who reside in each State. Further, 635 class members were identifiable only through fax numbers. An estimate of the number of class members of each state is set forth below. Because the ultimate distribution of any settlement benefits would depend on class members submitting claims, Defendants cannot estimate the proportionate share of the claims of class members in each state to the entire settlement. Assuming proportional claims submission, the approximate proportionate potential share of the claims of such members to the entire settlement is set forth below.

ESTIMATED CLASS MEMBERSHIP BY STATE/ ESTIMATED PROPORTIONATE SHARE OF CLAIMS TO TOTAL SETTLEMENT AWARD BY STATE			
STATE	NUMBER OF CLASS MEMBERS	STATE	NUMBER OF CLASS MEMBERS
ALABAMA	47 / .45%	MONTANA	7 / .07%
ALASKA	3 / .03%	NORTH CAROLINA	240 / 2.30%
ARKANSAS	29 / .28%	NORTH DAKOTA	4 / .04%
ARIZONA	434 / 4.16%	NEBRASKA	30 / .29%
CALIFORNIA	1,870 / 17.93%	NEW HAMPSHIRE	74 / .71%
CONNECTICUT	120 / 1.15	NEW JERSEY	141 / 1.35%
COLORADO	367 / 3.52%	NEW MEXICO	41 / .39%
DISTRICT OF COLUMBIA	5 / .05%	NEW YORK	315 / 3.02%
DELAWARE	18 / .17%	NEVADA	232 / 2.22%
FLORIDA	1,435 / 13.76%	OHIO	139 / 1.33%
GEORGIA	308 / 2.95%	OKLAHOMA	63 / .60%
HAWAII	1 / .01%	OREGON	269 / 2.58%
IOWA	22 / .21%	PENNSYLVANIA	180 / 1.73%
IDAHO	68 / .65%	RHODE ISLAND	76 / .73%
ILLINOIS	516 / 4.95%	SOUTH CAROLINA	99 / .95%
INDIANA	97 / .93%	SOUTH DAKOTA	2 / .02%
KANSAS	62 / .59%	TENNESSEE	103 / .99%
KENTUCKY	59 / .57%	TEXAS	136 / 1.30%
LOUISIANA	93 / .89%	UTAH	152 / 1.46%
MASSACHUSETTS	264 / 2.53%	VIRGINIA	232 / 2.22%
MARYLAND	262 / 2.51%	VERMONT	14 / .13%
MAINE	50 / .48%	WASHINGTON	396 / 3.80%
MICHIGAN	328 / 3.15%	WISCONSIN	85 / .82%
MINNESOTA	105 / 1.01%	WEST VIRGINIA	9 / .09%
MISSOURI	155 / 1.49%	WYOMING	11 / .11%
MISSISSIPPI	24 / .23%	[fax number only]	635 / 6.09%

8. There are no written judicial opinions relating to the materials described under subparagraphs (3) through (6) of 28 U.S.C. § 1715.

Dated: May 9, 2008

E-LOAN, INC.

By: Victoria Collado

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By: 

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CERTIFICATE OF SERVICE

I, Victoria R. Collado hereby certify that I caused a copy of the foregoing **Defendants' 28 U.S.C. § 1715 Notice of Class Settlement**, to be served on May 9, 2008 upon the parties listed below by U.S. Mail, postage prepaid:


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